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6 **UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF NEVADA**

8 **-oOo-**

9 UNITED STATES OF AMERICA,)	2:11-CR-405-JCM-PAL
)	
10 Plaintiff,)	MOTION TO DISMISS CRIMINAL
)	INDICTMENT PURSUANT TO
11 v.)	FEDERAL RULE OF CRIMINAL
)	PROCEDURE 48(A) AND PROPOSED
12 DARYL GALTNEY,)	ORDER
)	
13 Defendant.)	
14 _____)	

15 The United States of America, by and through the undersigned Assistant United States
 16 Attorney, respectfully seeks leave of court pursuant to Federal Rule of Criminal Procedure 48(a)
 17 to dismiss the Criminal Indictment filed against the Defendant, Daryl Galtney, on November 16,
 18 2011 (*see* Docket #10), charging him with one (1) count of Felon in Possession of a Firearm in
 19 violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

20 On May 14, 2013, before the Honorable Kent J. Dawson, the Defendant entered a guilty
 21 plea, pursuant to a plea agreement between the parties, in the matter of United States vs. Victor
 22 Williams, et al., case number 2:12-cr-175-KJD-VCF. The plea agreement in that case called for
 23 the dismissal of the instant case after rendition of sentence in the case before Judge Dawson.
 24 Sentencing in the matter was held on August 20, 2013 at 9:00 a.m. Consequently, the instant case

25 . . .

26 . . .

1 is now ripe for dismissal.

2 Respectfully submitted this, the 30th day of August, 2013.

3 DANIEL G. BOGDEN
4 United States Attorney

5 /s/

6 PHILLIP N. SMITH, JR.
7 Assistant United States Attorney
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9
10 UNITED STATES OF AMERICA,) 2:11-CR-405-JCM-PAL
)
11 Plaintiff,) **ORDER**
)
12 v.)
)
13 DARYL GALTNEY,)
)
14 Defendant.)
_____)
15

16
17 **ORDER**

18 **IT IS ORDERED**, that pursuant to the Government's Motion to Dismiss the Criminal
19 Indictment, and in accordance with Fed. R. Crim. P. 48(a), the Criminal Indictment filed on
20 November 16, 2011 in the above-captioned case is hereby **DISMISSED**.
21 Trial scheduled for September 9, 2013, is hereby VACATED.
DATED September 4, 2013.

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23 _____
Hon. JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE
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